Bernard F. King III, SBN 232518 1 LAW OFFICES OF BERNARD F. KING III 2 1455 Frazee Road, Suite 500 San Diego, California 92108 3 Telephone: (858) 746-0862 Facsimile: (858) 746-4045 4 E-mail: bking@bernardkinglaw.com 5 6 Attorney for Plaintiff Anthony Johnson 7 8 UNITED STATES DISTRICT COURT 9 FOR THE SOUTHERN DISTRICT OF CALIFORNIA 10 11 ANTHONY JOHNSON, an individual, Case No. 14-cv-1873 H (BLM) 12 NOTICE OF MOTION AND MOTION FOR (1) Plaintiff. AN ORDER QUASHING STORIX' WRIT OF v. 13 EXECUTION; (2) A PROTECTIVE ORDER STAYING POST-JUDGMENT DISCOVERY: STORIX, INC., a California corporation, 14 AND (3) AN ORDER STAYING ENFORCEMENT OF THE JUDGMENT 15 Defendant. **DATE: July 3, 2017** 16 TIME: 10:30 am AND RELATED COUNTERCLAIMS 17 Courtroom: 15A (15th Floor - Carter/Keep) 18 Judge: Hon. Marilyn L. Huff Magistrate: Hon. Barbara L. Major 19 Complaint Filed: August 8, 2014 20 **Judgment Entered: December 18, 2015** Amd. Judgment Entered: November 16, 2016 21 22 //////// 23 //////// 24 //////// 25 //////// 26 27 NOTICE OF MOTION AND MOTION FOR (1) AN ORDER QUASHING STORIX' WRIT OF EXECUTION; (2) A PROTECTIVE ORDER STAYING POST-JUDGMENT DISCOVERY; AND (3) AN ORDER STAYING 28 ENFORCEMENT OF THE JUDGMENT CASE NO. 14-CV-1873 H (BLM)

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD: PLEAST TAKE NOTICE that at 10:30 am on July 3, 2017, in Courtroom 15A, on the 15th Floor of the James M. Carter and Judith N. Keep United States Courthouse, 333 West Broadway San Diego, California, Plaintiff and Counter-Defendant Anthony Johnson will, and hereby does, move the Court for (1) an order quashing Defendant and Counter-Claimant Storix, Inc.'s writ of execution; (2) a protective order staying post-judgment discovery; and (3) an order staying enforcement of the judgment pursuant to Rule 69(a)(1) of the Federal Rules of Civil Procedure. Alternatively, Plaintiff also moves for reconsideration of the Court's December 13, 2016 order denying Plaintiff's request for a discretionary stay pursuant to Rule 62(d) of the Federal Rules of Civil Procedure. Plaintiff's motion is based on this notice, the concurrently filed memorandum of points and authorities, the concurrently filed Declaration of Bernard F. King III and the exhibit attached thereto, the papers previously filed in this action, and upon such further evidence, argument, and 14 authority as may be presented at the time of the hearing. 15 DATED: May 31, 2017 Respectfully submitted, 16 LAW OFFICES OF BERNARD F. KING III s/Bernard F. King III 18 By: BERNARD F. KING III Attorney for Plaintiff bking@bernardkinglaw.com 22 -1-

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NOTICE OF MOTION AND MOTION FOR (1) AN ORDER QUASHING STORIX' WRIT OF EXECUTION; (2) A PROTECTIVE ORDER STAYING POST-JUDGMENT DISCOVERY; AND (3) AN ORDER STAYING ENFORCEMENT OF THE JUDGMENT

1	PROOF OF SERVICE
2	I, Bernard F. King III, declare that:
3	I am over the age of 18 years and not a party to the action; I work in the County of San
4	Diego, California where the mailing occurs, and my business address is 1455 Frazee Road, Suite
5	500, San Diego, CA 92108.
6	I further declare that I am familiar with the business practice for sending first class and
7	electronic email, pursuant to which practice I served on the date set forth below NOTICE OF
8	MOTION AND MOTION FOR (1) AN ORDER QUASHING STORIX' WRIT OF EXECUTION
9	(2) A PROTECTIVE ORDER STAYING POST-JUDGMENT DISCOVERY; AND (3) AN
0	ORDER STAYING ENFORCEMENT OF THE JUDGMENT by electronic mail via the CM/ECF
1	system sent to the e-mail addresses of counsel listed below:
2	Paul A. Tyrell, Esq. <u>Attorneys for Defendant</u>
3	Sean M. Sullivan, Esq. PROCOPIO CORY HARGREAVES & SAVITCH Paul.tyrell@procopio.com Paul.tyrell@procopio.com
4	525 B Street, Suite 2200 San Diego, CA 92101 <u>Sean.sullivan@procopio.com</u>
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8	I declare under penalty of perjury under the laws of the State of California and the United
9	States of America that the foregoing is true and correct.
20	Executed on May 31, 2017, at San Diego, California.
21	s/Bernard F. King III
22	BERNARD F. KING III
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28	NOTICE OF MOTION AND MOTION FOR (1) AN ORDER QUASHING STORIX' WRIT OF EXECUTION; (2) A PROTECTIVE ORDER STAYING POST-JUDGMENT DISCOVERY; AND (3) AN ORDER STAYING ENFORCEMENT OF THE JUDGMENT

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